

1 REMARKS

2 Status of the Claims

3 Claims 2, 4, 5, 21-28, 33, 43, 44, 88, and 89 are pending in the present application, Claims 1,
4 3, 6-19, 29-32, 34-42, 45-54, 56-87, and 90-100 having been previously canceled, and Claim 55
5 having been canceled herein. Claim 2 has been amended to more clearly distinguish the recited
6 subject matter over the cited art.

7 Allowable Subject Matter

8 Claims 21-25, 43, 44, 88 and 89 are allowed.

9 Summary of Telephone Interview

10 On May 6, 2010, Examiner Musselman and applicant's attorney (Michael C. King,
11 Registration No. 44,832) discussed the patentability of independent Claim 2, which recites a medical
12 training model including a chemical sensor used to control a physiological control element.

13 The discussion included a review of the support in the specification for such an element (see
14 the paragraph beginning at the bottom of page 74). The Examiner acknowledged that chemical
15 sensors are not widely utilized in medical training models, but noted that he was concerned about the
16 potential breadth of Claim 2. Applicant's attorney agreed to amend Claim 2 consistent with the
17 support for the chemical sensor element discussed in the specification, and the Examiner agreed to
18 review a proposed amendment directed to that issue.

19 Applicant's attorney would like to thank Examiner Musselman for discussing the above noted
20 issue, and for agreeing to review a proposed amendment of Claim 2.

21 Claims Rejected under 35 U.S.C. § 103(a)

22 Claims 2, 26-28, 33, and 55 have been rejected under 35 U.S.C. § 103(a) as being obvious
23 over U.S. Patent Publication No. 2003/0068606 (Nicholls). The Examiner admits that Nicholls does
24 not teach or suggest a chemical sensor, but asserts that chemical sensors are notoriously well known,
25 and that it would have been obvious to the artisan of ordinary skill to include a chemical sensor in
26 Nicholls' device, thereby achieving an equivalent invention.

27 Claims 4 and 5 have been rejected under 35 U.S.C. § 103(a) as being obvious over U.S.
28 Patent Publication No. 2003/0068606 (Nicholls) in view of U.S. Patent No. 5,175,214 (Takaya). The
29 Examiner notes that Takaya discloses equivalent conductive elastomers, and that it would have been
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1 obvious to the artisan of ordinary skill to include Takaya's conductive elastomers in Nicholls' device,
2 thereby achieving an equivalent invention.

3 In the interest of reducing the complexity of the issues for the Examiner to consider in this
4 response, the following discussion focuses on independent Claim 2. Claim 55 has been canceled,
5 thus its rejection is moot.

6 The patentability of each remaining dependent claim is not necessarily separately addressed in
7 detail. However, applicant's decision not to discuss the differences between the cited art and each
8 dependent claim should not be considered as an admission that applicant concurs with the Examiner's
9 conclusion that these dependent claims are not patentable over the disclosure in the cited references.
10 Similarly, applicant's decision not to discuss differences between the prior art and every claim
11 element, or every comment made by the Examiner, should not be considered as an admission that
12 applicant concurs with the Examiner's interpretation and assertions regarding those claims. Indeed,
13 applicant believes that all of the dependent claims patentably distinguish over the references cited. In
14 any event, a specific traverse of the rejection of each dependent claim is not required, since
15 dependent claims are patentable for at least the same reasons as the independent claims from which
16 the dependent claims ultimately depend.

17 Patentability of Independent Claim 2

18 Applicant has amended independent Claim 2 to incorporate elements disclosed in the final
19 paragraph on page 74. That paragraph (which extends onto page 75) discloses a medical training
20 device including a conductive elastomer and a chemical sensor, and describes how such a chemical
21 sensor is used to mimic a physiological reaction, such as a change in a heartbeat.

22 As amended, Claim 2 recites that a controller receives a signal from the chemical sensor, to
23 *determine if a quantity of the chemical detected is sufficient to trigger a simulated physiological*
24 *response*, and if so, the controller is used to actuate an element that mimics the physiological
25 response.

26 While applicant recognizes that chemical sensors are well known, it does not appear that it is
27 well known to include such sensors in medical training models, particularly where the function of the
28 sensor is used to detect the presence of a chemical that when present will trigger a simulated
29 physiological response. Accordingly, Claim 2 as amended appears to distinguish over the art.

1 Since dependent claims inherently include all of the recitation of the independent claims from
2 which they ultimately depend, remaining dependent Claims 4, 5, 26, 27, 28, and 33 are patentable for
3 at least the same reasons as independent Claim 2.

4 Conclusion

5 In consideration of the amendment to the claims and the Remarks set forth above, it is
6 applicant's position that all claims in the current application are patentable over the art of record.
7 The Examiner is thus requested to pass this case to issue without further delay. In the event that any
8 other issues remain, the Examiner is invited to telephone applicant's attorney at the number listed
9 below.

10 Respectfully submitted,

11
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13 Michael C. King
14 Registration No. 44,832

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